

Message Text

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43

ACTION EB-11

INFO OCT-01 EUR-25 IO-14 ISO-00 L-03 JUSE-00 FAA-00 DOTE-00

CAB-09 COME-00 FTC-01 TRSE-00 FRB-03 DRC-01 CIAE-00

INR-11 NSAE-00 RSC-01 /080 W
----- 119755

R 251043Z JUL 74

FM AMEMBASSY BERN

TO SECSTATE WASHDC 9327

INFO AMEMBASSY BRUSSELS

AMEMBASSY PARIS

AMEMBASSY THE HAGUE

USMISSION GENEVA

USMISSION OECD PARIS

AMCONSUL ZURICH

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GENEVA FOR WALDMANN

E.O. 11652: N/A

TAGS: ETRD, OECD, SZ

SUBJECT: ANTITRUST INVESTIGATION OF CERTAIN FOREIGN AIR CARRIERS

REF: A) STATE 141971; B) BERN 2429

1. IN DISCUSSION WITH DEPUTY ASSISTANT SECRETARY
WALDMANN ON ICAO ASSEMBLY (REPORTED SEPT), SWISS
ALSO RAISED SUBJECT OF ANTITRUST INVESTIGATION OF
SWISSAIR AND OTHER CARRIERS.

2. FEDERAL AIR OFFICE VICE DIRECTOR ROLF KUENZI SAID
SWISS WERE "SURPRISED" AND "HURT" BY FACT THAT SUBPOENAS
SERVED SWISSAIR ON BEHALF CRIMINAL GRAND JURY. HE SAID
IN SWISS VIEW USG SHOULD HAVE USED CONSULTATION
PROCEDURE UNDER US-SWISS BILATERAL AIR TRANSPORT
SERVICES AGREEMENT INSTEAD OF SUBPOENAS. GOS PARTICU-
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LARLY CONCERNED BECAUSE SWISSAIR ATTENDED DECEMBER 1972

MEETING UNDER AIR OFFICE INSTRUCTIONS. KUENZI RECALLED THAT IATA CONFERENCE HAD FAILED REACH AGREEMENT ON NEW RATES AND OLD RATE STRUCTURE WAS TO EXPIRE FEBRUARY 1973. AIR OFFICE FELT MAJOR AIR CARRIERS SHOULD MEET TO EXCHANGE VIEWS ON WHAT NEW RATE STRUCTURES THEY WOULD PROPOSE TO THEIR RESPECTIVE GOVERNMENTS AND TO SEE WHAT COULD BE DONE TO SALVAGE IATA IN ABSENCE VIABLE ALTERNATE RATE SETTING MECHANISM. CARRIERS DID NOT AGREE OR ATTEMPT AGREE ON A SPECIFIC RATE PACKAGE. SWISS BELIEVE SUCH CONSULTATIONS AMONG CARRIERS SANCTIONED BY US-SWISS BILATERAL AIR AGREEMENT (SEE SECTION VII, AGREEMENT OF MAY 13, 1949).

3. KUENZI SAID HE HAD TAKEN OPPORTUNITY OF WALDMANN VISIT TO MENTION INFORMALLY SWISS CONCERNS AND THAT SWISS EMBASSY IN WASHINGTON WOULD MAKE STRONG FORMAL DEMARCHE TO DEPARTMENT OF STATE IN NEAR FUTURE. PERCIVAL

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CIVIL AVIATION, ANTITRUST, TREATY COMPLIANCE, INVESTIGATIONS, AIRLINES, AVIATION AGREEMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 25 JUL 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: golinofr
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974BERN02791
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740202-0094
From: BERN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740719/aaaaaques.tel
Line Count: 79
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: A) STATE 141971; B) BERN 2429
Review Action: RELEASED, APPROVED
Review Authority: golinofr
Review Comment: n/a
Review Content Flags:
Review Date: 08 APR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <08 APR 2002 by kelleyw0>; APPROVED <24 JUN 2002 by golinofr>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: ANTITRUST INVESTIGATION OF CERTAIN FOREIGN AIR CARRIERS
TAGS: ETRD, SZ, OECD, SWISSAIR
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005